

Board of Respiratory Care

Minutes

Date: February 24, 2004

Time: 9:00 a.m., C.S.T.

Location: Cumberland Room
Ground Floor, Cordell Hull Building
425 5th Avenue North
Nashville, TN 37247-1010

Members Present: Billy Alred, Chair
Candace Partee
Delmar Mack, Ed.D.
Timothy McGill
James Hunter, II
Charles Brownlee
Catherine Everhart

Staff Present: Tomica Holbert, Board Administrator
Dianne Birkner, Unit Manager
Robbie Bell, Health Related Boards Director
Nicole Armstrong, Advisory Attorney
Jerry Kosten, Regulations Manager
Lea Phelps, Disciplinary Coordinator

A quorum being present, Mr. Alred, Chair, called the meeting to order at 9:00 a.m.

Office of General Counsel

Ms. Armstrong reported that the rule change regarding upgrade fees is currently under review by the Attorney General. Ms. Armstrong reported that five cases were awaiting prosecution.

Ms. Armstrong then reminded the Board of their responsibilities under the Conflict of Interest policy.

Minutes

A motion was made by Ms. Everhart and seconded by Mr. Hunter to adopt the minutes as corrected. The motion carried.

Rules

Mr. Kosten made a presentation to the Board concerning the proposed rule regarding the regulations of Delivery Equipment Technicians in regards to respiratory care proposed by the Board. Ms. Armstrong has concerns about the language being used and would advise against it,

and states that this should go before the Health Care Facility (HCF) Board meeting. John Williams with the Tennessee Society for Respiratory Care does not feel that the language being used is against the Board's authority in items one and two defining respiratory care but item three could raise some concerns. Ms. Bell suggested that it read what is considered to be the practice of respiratory care and what is not, or what acts constitute the practice of respiratory care and what does not constitute the practice of respiratory care. With those changes a motion was made by Ms. Partee and seconded by Mr. Brownlee to promulgate a rule outlining the procedures that are within the scope of practice of respiratory care. The motion was carried.

Mr. Kosten requested a roll call vote on the order modifications, orders of compliance, and mandatory appearances. Affirmative carried.

A discussion came up about continuing education units for Mr. Kosten to draft some language to be discussed at the next board meeting.

Applicant Interviews

Joe Fain – Ms. Holbert presented the application of Mr. Fain who was applying to have ABG Endorsement added to his license. Mr. Fain was not able to provide an official transcript because he grandfathered into the states of Florida and Massachusetts. Those states did not require a license to practice respiratory care. After reviewing the information received a motion was made by Mr. Hunter and seconded by Ms. Everhart to approve Mr. Fain for licensure. The motion carried.

Ronald Forczek- Ms. Holbert presented the application of Mr. Forczek who was applying to have ABG Endorsement added to his license. Mr. Forczek could not provide an official transcript because he received on the job training and has been working in the hospitals in the cath labs and performing EKG's, and Echo's which did not require him to have a respiratory care license. After reviewing the information received a motion was made by Ms. Everhart and seconded by Dr. Mack to deny ABG Endorsement. Mr. Forczek can reapply for the ABG Endorsement once he has completed an approved remedial training program. Motion carried.

Bonita Foreman – Ms. Holbert presented the application of Ms. Foreman who was applying for reciprocity. Ms. Foreman grandfathered into the state of Ohio and received on the job training therefore could not provide a certificate of completion; and the transcript does not indicate a certificate was received. After review of the application, a motion was made by Ms. Everhart and seconded by Ms. Partee to approve Ms. Foreman for licensure. The motion carried.

David Worley – Mr. Worley appeared before the Board to explain the circumstances of not being able to provide an official transcript to the Board for licensure due to the school going out of business, and some files being misplaced. Mr. Worley holds an Arkansas license in respiratory care and nursing. After review of the application, a motion was made by Ms. Partee and seconded by Ms. Everhart to approve Mr. Worley for licensure. The motion carried.

Terri Peay – Ms. Peay came before the board to have ABG Endorsement added to her license. After interviewing Ms. Peay, a motion was made by Ms. Everhart and seconded by Mr. Brownlee to approve Ms. Peay for ABG Endorsement. The motion carried.

Concurrent Therapy

Ms. Partee distributed a copy of the drafted position statement for the Board's approval. The position statement is listed below:

Patients with cardiopulmonary diseases need access to safe, cost-effective care. Respiratory Therapists provide care that can improve patient outcomes and reduce morbidity, mortality and costs. In respiratory therapy, concurrent therapy occurs when one therapist administers treatments utilizing small volume nebulizers, metered dose inhalers, or intermittent positive pressure treatments to multiple patients simultaneously.

The Joint Commission on Accreditation of Health Care Organizations (JCAHO) cites concurrent therapy as a problem. According to JCAHO, if concurrent therapy is to be considered there must be a clear indication of it and a policy and procedure that governs its application. Policies for the administration of concurrent therapy need to include consideration of the patients location within the facility, assessment for appropriateness (including frequency) of the order by a therapist, patient's cognitive status, understanding of therapeutic goals, coordination, tolerance of the therapy, attitude, and ability to cooperate with the therapy.

The Tennessee Board of Respiratory Care discourages the use of concurrent therapy. Patient safety is the primary reason for respiratory therapists not to deliver care via concurrent therapy without a thorough patient assessment. Indiscriminate use of concurrent therapy may lead to declines in quality and may jeopardize patient safety.

After reviewing the information, a motion was made by Mr. Hunter and seconded by Ms. Partee to approve the position statement. The motion carried.

Continuing Education Waiver Requests/Course Approval

Heather Johnson – After review of the information submitted by Ms. Johnson in support of her waiver request, a motion was made by Dr. Mack and seconded by Mr. Hunter to deny Ms. Johnson's request for a waiver. The motion carried.

Karen Cox – After review of the information submitted by Ms. Cox in support of her extension request, a motion was made by Ms. Everhart and seconded by Dr. Mack to grant a 90 day extension. The motion carried.

Kendra Milliron – After review of the information submitted by Ms. Milliron in support of her waiver request, a motion was made Dr. Mack and seconded by Mr. Brownlee to deny Ms. Milliron's request for a waiver. The motion carried.

Administrative Report

Ms. Holbert presented the following statistical information to the Board for their information: The credentials of 537 RRT's have not yet been verified. The plan is that when these licensees become eligible for renewal, their renewals will be held until they can provide proof of their credentials.

Disciplinary Report

Ms. Phelps presented the disciplinary report which indicated that the two licensees currently under disciplinary action are in compliance with their disciplinary orders.

Financial Report

Ms. Holbert presented the financial reports which indicated that the anticipated surplus as of June 30, 2003 is \$266,480.00.

Investigative Report

Ms. Phelps presented the Investigative Report which indicated that seven cases were currently under investigation.

Tennessee Professional Assistance Program

Ms. Leanne Busby, Director of Tennessee Professional Assistance Program presented the Quarterly Report which indicated that five persons are currently under contract and one person is in the intake process. Ms. Busby then explained the program for the benefit of the new members. She reminded the Board members that regardless of the evaluator's recommendations they could require an applicant to sign a contract as a condition of their licensure.

Ratifications

A motion was made by Mr. Hunter and seconded by Ms. Partee to approve the list of Registered Respiratory Therapist and Certified Respiratory Therapist. The motion carried. A motion was made by Mr. Hunter and seconded by Ms. Partee to remove Mr. James Gaither's name from the reinstatement list and approve the remaining reinstatement list of Registered and Certified Respiratory Therapists. Mr. Gaither's file was incomplete at the time of the Board meeting. Mr. Gaither has until the next scheduled Board meeting to show proof of 10 hours of continuing education in critical care. The motion carried.

Adjournment

There being no further business, the meeting was adjourned at 11:00 a.m.

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